

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant : John Harra
Title : APPARATUS FOR PROCESSING,
STORING, AND DISPENSING
SOFT SERVE FROZEN FOOD
PRODUCT
Application No. : 10/552,561
Filing Date : October 11, 2005
Art Unit : Unknown
Examiner : Unknown
Attorney Docket No. : JH-1PCT

March 29, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Information Disclosure Statement

Applicant is submitting the enclosed documents pursuant to 37 CFR §1.56.
Applicant requests that the Examiner consider these documents in the course of
examining the application identified above, make them of record in the Patent and
Trademark Office file, and have them printed on the face of any patent issuing from this
application. Filled-out Forms PTO/SB/08A and PTO/SB/08B are enclosed.

Discussion

The enclosed documents comprise (1) a PCT International Search Report, issued in the PCT International Application No. PCT/US04/11484, a PCT counterpart of this application, (2) a PCT International Search Report, issued in the PCT International Application No. PCT/US05/36284, and (3) an EPC Article 96(2) Communication issued in an EPO counterpart of this PCT application. Copies of the documentation cited in the PCT International Search reports and the EPC Communication are enclosed.

In addition to the Search Reports and the cited documentation, Applicant would also like to bring to the attention of the Examiner some additional documentation, copies enclosed, that has come to Applicant's attention.

Stalkup US Patent 2,784,565 refers to a recirculation conduit 15 connected to a freezer cylinder 1. Clifford US Patent 3,050,960 refers to circulation of ice cream in a freezing cylinder 10 when an outlet orifice 41 is closed. See arrow B in Figure 3. Kress et al. US Patent 5,615,559 refers to a freezing system that has a recirculation arrangement 12 for a freezing cylinder 14.

The Gerber Published Patent Application US2003/0012864 refers to a product blender and dispenser that includes an ingredient storage and delivery module 12 added to a commercially available confection freezer and dispenser assembly 11. The module 12 includes a sanitizer supply 16. Togashi et al. US Patent 4,703,628 mentions a cleaning circuit 120 shown in Figure 9, hot water cleaning in column 3, lines 1-5, and heat sterilization in column 3, lines 6-11, in an apparatus for preparing frozen products. Iles US Patent 4,758,097 shows a cleaning solution container 41 in Figure 1 used to clean a device for producing frozen confection foods. See, for example, column 7, lines 5-12.

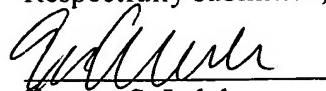
Aoki et al. US Patent 4,860,550 refers to cleaning an apparatus for preparing ice creams with heat, sterilizing agents, and hot water. See, for example, column 10, line 36, through column 24, line 12. This patent also refers four flavors of ice cream produced from two freezing cylinders 9 and four flavor tanks 4. Kusano et al. US Patent 5,158,506 refers to heat pasteurization of the freezing cylinders of an ice cream manufacturing apparatus and cleaning of that apparatus with water. See, for example, column 4, lines 42-65, and column 12, line 51, through column 13, line 35, of the Kusano et al. patent. Ahnell et al. US Patent 5,229,150 refers to a food processing apparatus having a food path that does not have locations where food can be trapped that provide a haven for bacterial growth. See, for example, column 5, lines 18-27.

Kortschot US Patent 5,356,648 refers to frozen desserts with flavor strands. See, for example, the first paragraph in column 1. Van Der Merwe et al. US Patent 6,145,701 refers to an arrangement for adding solid toppings to soft serve product dispensed from a soft serve machine.

Meserole et al. US Patent 6,494,055 and Beck et al. US Patent 6,490,872 deal with a frozen food dispensing machine having clean in place features. See, for example, clean in place mode 240 in Figures 15, 16, and 21. See also the “Clean-In-Place” sections, in columns 13 through 15 and columns 24 through 26 of each patent.

Applicant believes that none of the documentation, considered singly or in combination, shows or suggests the claimed invention.

Respectfully submitted,



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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use as many sheets as necessary)

Sheet 1 of 13

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|------------------------|----------------|
| Application Number | 10/552,561 |
| Filing Date | April 13, 2004 |
| First Named Inventor | John Harra |
| Art Unit | Unknown |
| Examiner Name | Unknown |
| Attorney Docket Number | JH-1PCT |

U. S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|-----------------------|---------------------|--------------------------------|--|---|
| Number-Kind Code ² (<i>if known</i>) | | | | | |
| | | US- 2003/0071055 A1 | 04-17-2003 | Johnson | See discussion in IDS |
| | | US- 2003/0012864 A1 | 06-16-2003 | Gerber | See discussion in IDS |
| | | US- 2004/0118291 A1 | 06-24-2004 | Carhuff et al. | See discussion in IDS |
| | | US- 2,784,565 | 03-12-1957 | Stalkup | See discussion in IDS |
| | | US- 3,050,960 | 08-28-1962 | Clifford | See discussion in IDS |
| | | US- 3,898,859 | 08-12-1975 | Duke | See discussion in IDS |
| | | US- 4,703,628 | 11-03-1987 | Togashi et al. | See discussion in IDS |
| | | US- 4,758,097 | 07-19-1988 | Iles, Sr. | See discussion in IDS |
| | | US- 4,860,550 | 08-29-1989 | Aoki et al. | See discussion in IDS |
| | | US- 5,016,446 | 05-21-1991 | Fiedler | See discussion in IDS |
| | | US- 5,158,506 | 10-27-1992 | Kusano et al. | See discussion in IDS |
| | | US- 5,229,150 | 07-20-1993 | Ahnell et al. | See discussion in IDS |
| | | US- 5,356,648 | 10-18-1994 | Kortschot | See discussion in IDS |
| | | US- 5,400,614 | 05-28-1995 | Feola | See discussion in IDS |
| | | US- 5,419,150 | 05-30-1995 | Kaiser et al. | See discussion in IDS |
| | | US- 5,433,084 | 07-18-1995 | Kaiser et al. | See discussion in IDS |
| | | US- 5,615,559 | 04-01-1997 | Kress et al. | See discussion in IDS |
| | | US- 5,727,713 | 05-17-1998 | Kateman et al. | See discussion in IDS |
| | | US- 5,799,832 | 09-01-1998 | Mayo | See discussion in IDS |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁶ |
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| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (<i>if known</i>) | | | | |
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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| | | | | Art Unit | Unknown |
| | | | | Examiner Name | Unknown |
| Sheet | 3 | of | 3 | Attorney Docket Number | JH-1PCT |

| NON PATENT LITERATURE DOCUMENTS | | | | |
|--|-----------------------|---|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | T ² |
| | | PCT International Search Report, issued in the PCT International Application No. PCT/US05/36284 | | |
| | | PCT International Search Report, issued in the PCT International Application No. PCT/US04/11484 | | |
| | | EPC Article 96(2) Communication issued in an EPO Application No. 04 759 525.1 - 2114 | | |
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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